



Docket No.: M4065.0699/P699-B
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Terry L. Gilton

Allowed: December 8, 2005

Application No.: 10/777,684

Confirmation No.: 5881

Filed: February 13, 2004

Art Unit: 2823

For: NON-VOLATILE RESISTANCE
VARIABLE DEVICES AND METHOD
OF FORMING SAME...

Examiner: H. M. Lee

**COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

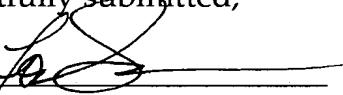
Dear Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance in the Office Action dated July 5, 2005, regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Dated: March 8, 2006

Respectfully submitted,

By 
Thomas J. D'Amico

Registration No.: 28,371
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
2101 L Street NW
Washington, DC 20037-1526
(202) 785-9700
Attorney for Applicant